

**APPENDIX A**  
**DESIGN AND CONSTRUCTION DOCUMENTS AND FORMS**  
**DESIGN-BID-BUILD**

**AUTHORITY:**

SC Code § 11-35-2010 (2) provides that the Chief Procurement Officer may adopt contracting documents for use in procurement of design and construction services.

SC Code § 11-35-3040 Permits state construction contracts to include provisions for adjustments in prices, time of performance, and appropriate remedies for delay or non-performance, termination for default, and termination for convenience.

SC Reg. 19-445.2145(E) sets forth-mandatory contract document for use on design-bid-build projects.

**A.1.1 ARCHITECT-ENGINEER, LANDSURVEYOR, AND CONSTRUCTION MANAGEMENT AGENT**

A. LAND SURVEYOR CONTRACT: The agency may use a letter contract written for each individual project. OSE must approve the format and description of services.

**B. ARCHITECT ENGINEER:**

1. CONTRACTS GREATER THAN \$25,000: The agency must use AIA Document B101 - 2007, with Article 12, Other Conditions or Services as prepared by the State Engineer and Article 13 prepared by the agency or Architect-Engineer.
2. CONTRACTS FOR \$25,000 OR LESS: The agency may use a letter contract written for each individual project.
3. ARCHITECT ENGINEER/CONSTRUCTION MANAGEMENT AGENCY: For the Architect-Engineer, the agency may use B132/CM-2009, with Article 12.1 prepared by the State Engineer and Article 12.2 prepared by the agency or Architect-Engineer. For the managers, it may use AIA Document C132-2009, with Article 12.1 prepared by the State Engineer and Article 12.2 prepared by the agency or construction manager.
4. FORMS FOR USE IN PROCURING AND ADMINISTERING PROFESSIONAL SERVICES: The Agency should use the following OSE Forms:
  - SE-210, Invitation for Professional Services
  - SE-212, Notification of Selection for Interview
  - SE-214, Conflict of Interest & Confidentiality Certification
  - SE-215, Architect/Engineer Evaluation
  - SE-217, Architect/Engineer Selection Committee Summary
  - SE-219, Notification of Selection for Contract Negotiation
  - SE-220, Professional Services Selection Approval Request
  - SE-230, Transmittal of Small Professional Service Contract
  - SE-260, Request for Authority to Amend a Professional Services Contract
  - SE-271, Design Documents Transmittal Form
  - Article 12 – Other Conditions or Services (OSE Modifications to AIA Document B101-2007)

### **A.1.2 CONSTRUCTION CONTRACTOR:**

A. CONTRACTS GREATER THAN \$50,000: The Agency must use the following:

1. Instructions to Bidders: AIA Document A701-1997, with 00201-OSE Standard Supplemental Instructions to Bidders. The Agency may insert additional supplemental instructions into Article 9 of 00201-OSE.
2. Contract for Construction: AIA Document A101 - 2007 with 00501-OSE Standard Modifications to AIA A101 – 2007.
3. General Conditions of the Contract for Construction: AIA Document A201-2007 or AIA A232/CMA-2009 (Construction Management Agency), with 00811-OSE Standard Supplementary Conditions. The Agency may insert additional supplemental conditions into Article 15 of 00811-OSE.
4. Forms for construction procurement and administration:

a. OSE Forms

SE-310, Invitation for Construction Bids  
SE-330, Bid Form  
SE-332, Unit Price Bid Form  
00501-OSE Standard Modifications to AIA A101-2007  
00811-OSE Standard Supplementary Conditions  
Bid Bond – Note: use A310-1970, Bid BondSE-355, Performance Bond  
SE-357, Labor & Material Payment Bond  
SE-360, Request to Post Intent to Award  
SE-370, Notice of Intent to Award  
SE-390, Notice to Proceed  
SE-480, Construction Change Order

b. AIA Forms (optional OSE forms set forth in A.1.5 below may be used at the Agency's option in lieu of applicable AIA forms. Agency should set forth the forms it will use in Article 15 of 00811-OSE):

A310-1970, Bid Bond  
G702-1992, Application and Certificate for Payment  
G703-1992, Continuation Sheet (*for application for payment*)  
G704-2000, Certificate of Substantial Completion  
G706-1994, Contractor's Affidavit of Payment of Debts and Claims  
G707-1994, Consent of Surety to Final Payment  
G714-2001, Construction Change Directive  
G715-1991, Instruction Sheet and Attachment for ACORD Certificate of Insurance

**A.1.3 REQUIRED OSE PERMITS AND CERTIFICATES:** The Agency must use the following OSE Forms:

SE-385, Building Permit  
SE-590, Certificate of Occupancy  
SE-900, Application for Permit to Develop in a Flood Hazard Area (*only required when developing in a flood hazard area*)  
SE-901, Permit to Develop in a Flood Hazard Area (*only required when developing in a flood hazard area*)

**A.1.4 SOLE SOURCE & EMERGENCY PROCUREMENTS:** The Agency must use the following OSE Forms:

OSE/MMO #102, Justification for Sole Source Procurement  
OSE/MMO #103, Justification for Emergency Procurement

### **A.1.5 OPTIONAL OSE FORMS**

A. PROFESSIONAL SERVICES (an Agency planning to use these optional forms in its contract administration should so state in Article 13 to AIA Document B151-1997).

- SE-250, A/E Payment Request
- SE-290, A/E Performance Evaluation
- SE-295, Assessment of Damages – Professional Services Contract
- SE-712, Agreements for Gifts in the Form of A/E Services

B. CONSTRUCTION CONTRACTOR (an Agency planning to use optional contract administration forms in its contract administration should so state in Article 15 of 00811-OSE).

- SE-311, Request for Minor Construction Quotes
- SE-331, Quote Form
- SE-350, Questionnaire for Contractors
- SE-405, Substantial Completion Agreement
- SE-420, Construction Change Directive
- SE-470, Notice of Claim
- SE-490, Assessment of Contract Liquidated Damages
- SE-495, Contractor Performance Review
- SE-550C, Request for Substantial Completion, Contractor
- SE-550A, Certificate of Substantial Completion, A/E
- SE-560C, Certificate of Final Completion by Contractor
- SE-710, Agreement for Gifts in the form of Construction

# OSE FORMS

## Design-Bid-Build In Alpha-Numeric Order

- [00201-OSE Standard Supplemental Instructions to Bidders](#)
- [00501 - OSE Standard Modifications to AIA A101-2007](#)
- [00811 - OSE Standard Supplementary Conditions](#)
- [Article 12 Other Conditions or Services \(OSE Modifications to AIA Document B101-2007\)](#)
- [OSE/MMO #102 Justification for Sole Source Procurement](#)
- [OSE/MMO #103 Justification for Emergency Procurement](#)
- [SE-210 Invitation for Professional Services](#)
- [SE-212 Notification of Selection for Interview](#)
- [SE-214 Conflict of Interest & Confidentiality Certification](#)
- [SE-215 Architect/Engineer Evaluation](#)
- [SE-217 Architect/Engineer Selection Committee Summary](#)
- [SE-219 Notification of Selection for Contract Negotiations](#)
- [SE-220 Professional Services Selection Approval Request](#)
- [SE-230 Transmittal of Small Professional Services Contract](#)
- [SE-260 Request for Authority to Amend a Professional Services Contract](#)
- [SE-271 Design Documents Transmittal Form](#)
- [SE-290 A/E Performance Evaluation](#)
- [SE-295 Assessment of Damages - Professional Service Contracts](#)
- [SE-310 Invitation for Construction Bids](#)
- [SE-311 Invitation for Minor Construction Quotes](#)
- [SE-335 Bid Bond](#)
- [SE-330 Bid Form](#)
- [SE-331 Quote Form](#)
- [SE-332 Unit Price Bid Form](#)
- [SE-350 Questionnaire for Contractors](#)
- [SE-355 Performance Bond](#)
- [SE-357 Labor and Material Payment Bond](#)
- [SE-370 Notice of Intent to Award](#)
- [SE-380 Request for Authority to Execute a Construction Contract](#)
- [SE-385 Building Permit](#)
- [SE-390 Notice to Proceed](#)
- SE-405, Substantial Completion Agreement
- SE-420, Construction Change Directive
- SE-490, Assessment of Contract Liquidated Damages
- SE-495, Contractor Performance Review
- SE-470, Notice of Claim
- [SE-480 Construction Change Order](#)
- SE-550C, Request for Substantial Completion, Contractor
- SE-550A, Certificate of Substantial Completion, A/E
- SE-560C, Certificate of Final Completion by Contractor
- [SE-590 Certificate of Occupancy](#)
- [SE-710 Agreement for Gifts in the Form of Construction](#)
- [SE-712 Agreement for Gifts in the Form of A/E Services](#)
- [SE-900 Application for Permit to Develop in a Flood Hazard Area](#)
- [SE-901 Permit to Develop in a Flood Hazard Area](#)